

**IN THE DRAWINGS**

The attached formal drawing sheets replace the original drawings filed on February 27, 2004. The replacement sheets are similar to the original sheets, except showing darker lines and also repositioning of the identifiers for the curves B and C in Figure 2.

REMARKS

The Examiner in charge of the above-identified application, Mr. Bibhu Mohanty, is thanked for the courtesies extended during the course of the interview conducted on October 5, 2004. It is noted for the record that the date of interview indicated on the Interview Summary is October 4, 2004, while October 5, 2004 is the correct date.

As reflected on the Examiner's Interview Summary, it was agreed that the rejection based upon prior art would be withdrawn. Also discussed at the interview were clarifying amendments to independent Claims 1 and 25 in response to the rejection under 35 U.S.C. § 112, second paragraph. The following remarks reflect and expand upon the interview discussions and address each of the points raised in the Office Action.

Responsive to the rejection of Claims 1 and 25 under 35 U.S.C. § 112, second paragraph, each of these claims have been amended to more clearly recite the invention.

With respect to the prior art rejections, as discussed at the interview, the present invention relates to a novel combination of an internal combustion engine having an asymmetrical gas turbo charger arrangement and an exhaust gas recirculation for a portion of the cylinders. Also, the valve control times of the respective intake valves and/or outlet valves of the individual cylinders are different with cylinders supplying the exhaust gas recirculation device having

shorter valve overlap times or none at all in comparison with the cylinders not supplying the exhaust gas recirculation device. This arrangement and this method distinguishes over the prior art relied upon in the rejections. The Russ et al. (U.S. Patent 5,934,263) does provide for recirculated exhaust gas but does not have any suggestions or motivations regarding the use of an exhaust gas turbo charger, especially an asymmetrically constructed exhaust gas turbo charger controlled in a manner as recited in each of the independent claims. Accordingly, as also indicated in the Examiner Interview Summary Record, the rejections based upon this prior art will be withdrawn.

In view of the interview discussions and the foregoing amendments and remarks, reconsideration and favorable action on all of the claims in the application is in order and respectfully requested.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Serial No. 10/787,255  
Reply to Office Action dated August 23, 2004

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket No.: 095309.53251US).

Respectfully submitted,

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